

Claims 1-3 and 6-26 stand rejected under 35 U.S.C. §102(e) as being anticipated by Takahashi et al. (U.S. Patent No. 6,868,158). Takahashi is directed to an echo processing apparatus that employs, among other things, a binary judgment signal generated by a double talk detector. For example, as described in columns 9 and 10, it appears that the judgment signal indicates merely whether double talk has been detected or not. See also, column 11, lines 9-11. However, such binary confirmation or judgments as to whether a double talk is occurring can perform poorly in noisy environments because they may only give a "yes/no" indication.

As to claims 1, 7, 11, 16, 20 and 24, Applicants claim a different circuit, method and apparatus that among other things, generates and/or is responsive to double talk activity probability data. The Takahashi reference fails to teach or suggest, among other things, producing double talk activity probability data since there is no discussion of providing any range or degree of confidence levels to control subcomponents of an echo canceler. Among other advantages, the probability data as generator and resulting double talk activity probability data as claimed establishes a confidence level with respect to the detection of a double talk condition based on multiple metrics, for example. The probability data can provide more accurate indication of a double talk condition and allows for independent adjustment or control of different components of the echo canceler circuit which may require different degrees of confidence in the presence of double talk to make the appropriate control decisions. (See e.g. paragraph 19 of specification). Since Takahashi only generates a binary representation of whether double talk is detected or not as opposed to probability data, the claims are in condition for allowance. Other distinctions will also be recognized by those of ordinary skill in the art.

As to claim 2, this claim requires, among other things, an echo canceler adaptive filter that receives the double talk activity probability data, the downlink activity data and downlink data and produces echo estimation data based thereon varies a rate of echo cancellation


adaptation. As noted above, Takahashi does not generate the double talk activity probability data and its subcomponents are not responsive to double talk activity probability data and therefore do not react to different degrees of confidence (probability data) in the presence of double talk to make the appropriate control decisions. Accordingly, this claim is also in condition for allowance.

The other dependent claims add additional novel and non-obvious subject matter and are also allowable.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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